

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendments, claims 7-29 are pending in this application, with claims 7, 13, 19, 23 and 26 being the dependent claims. Claims 1-6 are cancelled without prejudice or disclaimer. Claims 7-29 are added. A substitute specification is submitted. The title is amended. No new matter has been added.

In the Office Action dated September 21, 2006, claim 3 stands rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. Claims 1 and 4 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Zglenicki, U.S. Patent No. 5,515,785. Claim 2 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Zglenicki in view of Lucy, U.S. Patent No. 3, 545,383. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Zglenicki in view of Deal, U.S. Patent Publication No. 20020184995. Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Zglenicki as applied to claim 4 and further in view of Scarlata, U.S. Patent No. 5,339,743.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Interview at the USPTO on October 23, 2006

Applicant's representative thanks the Examiner for the courtesies extended during the in person interview at the USPTO on October 23, 2006. Proposed language for the new claims was discussed, as well as the differences between Applicant's invention and the cited references. The

Examiner indicated that favorable consideration will be given to the proposed claims, as overcoming the references cited in the Office Action.

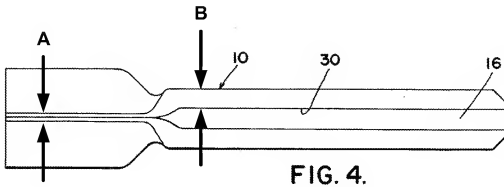
Rejections under 35 U.S.C. § 112, first paragraph

Claim 3 has been cancelled, and its rejection is now moot.

Rejections under 35 U.S.C. § 102(b) and 103(a)

Several claims stand rejected based on Zglenicki, or Zglenicki in combination with other references. New claims 7-29 have been added, to more clearly describe and point out the invention. Specifically, new claims 7-25 now recite a solid core in a shape of a rod. At least this aspect is not disclosed in Zglenicki, which has a core that is essentially a tube filled with a gel or paint.

Furthermore, new claims 7-18 and 23-29 recite that the tubular blank, after deformation, maintains the same thickness throughout its length. At least this aspect is also not disclosed in Zglenicki. As may be seen from, for example, FIG. 4 of Zglenicki, the thickness of the fins (seen on the left of the figure, once the bullet is formed) is much smaller than the thickness of the original tubular blank. This is also illustrated in the marked up FIG. 4 of Zglenicki below, see arrows with labels "A" and "B."



This aspect therefore provides an additional distinction over Zglenicki.

Additionally, a number of claims recite an aerodynamic tip in the shape of a needle. As discussed during the interview, this aspect is not disclosed in the cited reference (Scarlatu), since in Scarlatu the element in the drawing that appears visually similar is used during manufacture, and is not part of the actual bullet.

Other dependent claims, such as, for example, claim 18, which recites a polygonal cross-section of the bullet, provide additional distinctions over the cited references, none of which disclose this aspect.

Independent claim 26 and dependent claim 8 recite that the front and tail portions are compressed simultaneously. In Zglenicki, this is not the case, given its method of manufacture.

Accordingly, reconsideration and withdrawal of the rejections is respectfully requested.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

BARDMESSER LAW GROUP

/GB/

George S. Bardmesser
Attorney for Applicant
Registration No. 44,020

Date: October 25, 2006

910 17th Street, N.W.
Suite 800
Washington, D.C. 20006
(202) 293-1191